

IN SENATE OF THE UNITED STATES.

FEBRUARY 23, 1829.

Mr. HAYNE, from the Committee on Naval Affairs, and in behalf of a majority of that Committee, made the following report.

The Committee on Naval Affairs, to whom was referred a bill from the House of Representatives, "to provide for an exploring expedition to the Pacific ocean and South seas," and also the message of the President, on the same subject, have had the same under consideration, and beg leave to

REPORT:

That in discharging the duty assigned to them by the Senate, they found themselves called upon, to institute an inquiry into the objects of the contemplated expedition—its probable cost—and the measures necessary for carrying it into effect. This inquiry seemed to be the more indispensable, inasmuch as the subject of an exploring expedition had never been brought before the Senate for their consideration, nor had it received, in any way, their sanction or countenance; and inasmuch as it was now presented without any estimate from the Navy Department, or any documents, calculated to afford the information necessary to enable the Senate to make up a correct opinion upon the subject. The Committee were well aware, that the shape in which this question was presented to them, seemed to imply that the sanction of the government had been already given to the expedition, and that, therefore, no investigation was necessary, beyond the adequacy of the sum proposed to be appropriated, to enable the vessels to be sent to sea. The President had communicated to Congress, in his message at the commencement of the present session, that the expedition was "nearly ready to depart," and the Secretary of the Navy had also reported, that vessels had been prepared for the purpose; that all the preliminary measures had been adopted; and that, to cover the expenses, "the naval appropriations had been used for all those objects which came within the bill of appropriation—as pay, subsistence, instruments, books," &c. The Committee were also well aware, that a general opinion prevailed throughout the country, that the measure had received the deliberate sanction of both Houses of Congress, and that the appropriation of the sum now asked for, was therefore considered as a matter of course. But though a majority of the Committee indulged a favorable disposition towards an expedition, limited in its extent, and restricted in its objects; and although they were aware that the delay necessarily incident to a thorough examination of the subject, in all its bearings, might not meet the wishes of those who had taken a lively interest in the success of the enterprise; yet, they believed it to be their duty to the Senate, and to the country, not to act upon the subject without all the lights, which the most thorough investigation could afford. Even taking it for

granted, that an exploring expedition might be undertaken by the United States, with a reasonable prospect of favorable results, and without a departure from the fundamental principles of our policy, the Committee was still of opinion that it was safer to delay acting upon the subject, even at the risk of postponing the expedition for another year, than to be hurried into a decision on a question of so much importance, and to which they were now, for the first time, called upon to give their deliberate sanction. The Committee did not hesitate, therefore, to resort to the proper means for obtaining full information, on all the points deemed by them important to the formation of an enlightened judgment. Under the direction of the Committee, the Chairman accordingly addressed a letter to the Secretary of the Navy, calling for information on the following points:

- 1st. The expense already incurred in preparing the expedition.
- 2d. The additional amount necessary to carry it into effect.
- 3d. The views of the Department, as to the particular objects of the expedition.

From the answer of the Secretary, (which has since been submitted to the Senate, and printed by their order,) it appeared, that the exploring expedition was considered by the Executive, as already sufficiently sanctioned, by resolutions of the House of Representatives, of the 21st May, 1828:* that these resolutions, though they had never been submitted to the Senate, were regarded, in the language of the Secretary, "both as the *command* which was to be *obeyed*, and the *authority* which would *justify the expenditure of the money*, which might be found necessary to comply with its terms."

That the proper measures had therefore been adopted, for carrying the expedition into effect, though on a different plan, and a much larger and more expensive scale than was recommended in these resolutions, and for the accomplishment of the plan thus adopted by the Department, the appropriation now called for, was deemed necessary. But it was, at the same time, stated; that it was the intention of the Department, "should no further direction be given by Congress, and no appropriation be made," to send out the sloop of war Peacock, on that service.

The following is the plan of the expedition, as submitted to the Committee, by the Secretary of the Navy.

That the sloop of war Peacock, which had been thoroughly repaired for the purpose, should be sent out, under skilful Naval Officers, on an exploring expedition; that she should be accompanied by another "well appointed vessel;" and also, "a provision ship." That in addition to the Officers of the Navy, there should be sent out with the expedition, a *scientific corps*, to consist of the following persons, viz:

- "1st. A person to examine and report upon the present state of our commerce, and the means of its extension and improvement in that region.
2. "An astronomer, whose observations should not only fix accurately the positions of all places examined, but who shall bring home invaluable

* "Resolved, That it is expedient that one of our small public vessels be sent to the Pacific Ocean and South Seas, to examine the coasts, islands, harbors, shoals and reefs, in those seas, and to ascertain their true situation and description."

"Resolved, That the President of the United States, be requested to send one of our small public ships into those seas, for that purpose, and that he be requested to afford such facilities as may be within the reach of the Navy Department, to attain the object proposed; *provided* it can be effected without prejudice to the general interest of the Naval service; and *provided*, it may be done without further appropriation during the present year."

results of observations, experiments, &c. To him the naval officers would be assistants, and furnish all necessary aid.

3. A naturalist, with one or two assistants, and one or two good draftsmen and surveyors.

These five or six persons would be all that would be required in addition to the officers of the vessel."

The average compensation of these five or six persons, to be chosen from civil life, is "estimated at about \$1,600, some being considerably more and others less than that sum."

It was also ascertained by the Committee, from other sources, that two *pursers* were to go out with the expedition, one of whom, it was understood, was to act as *Historiographer*.

For the purpose of carrying this plan into effect, the following measures had been adopted:

"Orders were given to repair the Peacock for the expedition, and these repairs have been made.

Officers have been ordered to hold themselves in readiness, sufficient in number and skill for the vessel and the object.

Orders have been given to enlist seamen of middle age, and of good character; and an officer has been sent to Nantucket and New Bedford, to enlist a few who are accustomed to whaling, and other employments in the Pacific.

Directions have been given to prepare such mathematical and astronomical instruments and books as would be required.

The proper officer has been ordered to prepare such provisions, &c. as will be required, in addition to the ordinary provisions.

An agent has been sent to procure the best and safest information, respecting the object mentioned in the resolution, from our fellow-citizens in the East, who have had most experience in the navigation of the Pacific.

An arrangement for a second vessel has been made in the manner and to the effect described in the annual report of the President.

No appointments in the proposed scientific corps have been made; but the individuals, *who will be selected*, hold themselves in readiness, should their appointment be permitted.

The Department is ready to organize the whole expedition, the moment the Legislative decision is known."

That the following expenses had been already incurred:

The Peacock had been thoroughly repaired, at an expense which could not be stated, because the accounts had not yet been received.

A second vessel had been conditionally purchased, at an agreed price of \$10,000.

The expense of sending an agent to the East, would amount, probably, to between 500 and \$1000.

Mathematical books, instruments, &c., had been purchased to an amount "probably of about \$2000."

In relation to the additional amounts necessary for fitting out and supporting the expedition, the letter of the Secretary of the Navy, did not afford any satisfactory information.

The expense of purchasing a provision ship was, indeed, put down at \$15,000.

No information was afforded, of the expense of maintaining these three vessels at sea, because, in relation to the Peacock, an estimate of the annual

support of such a vessel "had heretofore been repeatedly communicated to Congress"—though it was admitted, that the cost of supporting her "would, in this instance, be greater than if she were cruising on a cheap station, near home." Of the cost of supporting the other vessels, no estimate was given, except that it was stated in relation to one of them, that "she would be officered and manned in the *usual mode*, and the expense, that which is common to vessels of her size." "Two years and a half" was assigned by the Secretary, as the period necessary for the completion of the expedition. "It was believed, that two or three years steadily employed, would accomplish most of the objects of the expedition," and that "whether another should be sent out after its return, would depend upon the result of this, and might well be left to the future for decision."

With regard to "the object of the expedition," it was stated to be, "to examine the coasts, islands, harbors, shoals, and reefs, in the Pacific Ocean and South Seas, to ascertain their true situation and description;" and it was stated, that in making these examinations, "coasts, islands, &c., both *known and unknown*, would fall under observation," and the orders would be, "to examine both, as thoroughly as circumstances would permit;" "that there was probably in the southern portion of the Pacific, not less than two hundred islands, reefs and shoals, which do not appear on any chart," and "to discover the true situation and description of *all these*, as well as those better known, is supposed to have been the object of the resolution." Directions were also to be given, for procuring information of "the present state of our commerce, the difficulties and dangers to which it is subjected, and the best means of protecting and enlarging it, and any other information which might fall in their way, and which would be profitable to the nation."

That these examinations were to be made, "both of known and unknown islands, &c., in part, in a high southern latitude, and the instructions would be *to find and describe all which exist there, and as far to the south as circumstances would permit them safely and prudently to go.*"

Looking at the character and objects of the expedition, as disclosed in the Secretary's letter, the Committee could not fail to discover, that an exploring expedition to the Pacific ocean and South seas was considered, by the Executive, as already determined on; that it had been organized even in its minutest details, and that measures for carrying it into effect had been adopted, involving large expenditures, which had been drawn from the appropriations for the Navy; and that the bill, now before the Senate, was considered necessary merely to cover such additional expenses, as might not fall under any general head of Naval appropriations. It also appeared that the expedition, which it was proposed to send out, was one that must be extremely expensive; and that as a single expedition would not probably accomplish the object in view, many others, of the like kind, would hereafter become necessary. In the absence of precise statements from the Navy Department, and adopting the rule given by the Secretary himself, that the expense of preparing and supporting the Peacock, and the two other vessels would be the same, or even greater than vessels of the same class engaged in ordinary Naval service, it was manifest that the cost of rebuilding, repairing and fitting out the expedition, added to the expense of maintaining it for three years, would be very considerable.

The cost of building a sloop of war is estimated in a report made by the Secretary of the Navy, on the 7th January, 1824, at	\$85,000
And the expense of maintaining such a vessel for one year, at	
61,086 50, for three years, equal to	183,258 50

Making, for fitting out and maintaining a sloop of war for three years, - - - - - 268,258 50

Supposing the expense of procuring, supporting and maintaining the two other vessels to be the same as schooners of the first class,* (and the Committee were furnished with no other data,) the expense would be, according to official estimates of the expense of such vessels, as follows—cost of two vessels ready for sea, about \$25,000 each, - - - - - 50,000 00

Annual support of each, \$20,000 for three years, - - - - - 120,000 00

Making in all, - - - - - \$438,258 50

What deductions were to be made from this estimate, the Committee had no means of determining, but they knew that considerable additions would have to be made for the extraordinary expenses incident to such an expedition, and judging from the imperfect data before them, they supposed it not improbable that the whole cost of this expedition would not fall short of between 4 and \$500,000.

The magnitude of this amount, forced upon the Committee the conviction, that the subject was one altogether of too much importance to be acted upon without full and precise information, and accurate estimates of the whole cost of an expedition, to be organized in the manner contemplated by the Navy Department; the Committee considered it to be their duty to the Senate, therefore, not only to bring distinctly to their view, the precise objects of the expedition, but also the whole expense, as nearly as the same could be ascertained, in order that their decision might be made with a full knowledge of the whole subject.

Another consideration still more important, in the view of the Committee was connected with this question. The fact, that an expedition of such an extraordinary character, and bearing such an interesting relation to the foreign policy of this country, had been already organized, that extensive preparations had been made, and considerable expenses incurred for carrying it into effect, when the subject had not, as yet, been even submitted to the Senate, (one of the co-ordinate branches of the Legislature,) for its appropriate action, seemed to render a further investigation necessary. The chairman of the Committee, was therefore directed to propose to the Senate the following resolution, which was considered and adopted, viz:

“Resolved, That the President of the United States be requested to cause to be laid before the Senate, a detailed statement of the expenses incurred in fitting out and preparing an expedition for exploring the Pacific Ocean and South Seas; together with the additional amounts which will be necessary to cover all the expenses of such an expedition; and that he be also requested to cause to be submitted a detailed statement, showing the several amounts transferred from the different heads of appropriations, for the support of the Navy to this object, and the authority by which such transfers have been made.”

*The actual cost of the schooner Porpoise, of 200 tons, exclusive of her guns, has been ascertained to be \$28,873 91, and the expense of maintaining such a vessel, at sea, for one year, \$23,165 25.

In answer to this resolution, a message has been received from the President, covering a report from the Secretary of the Navy; in both of which it is stated, in general terms, that "no *transfers* have been made from the different heads of appropriation for the support of the Navy, to this object;" and the Secretary of the Navy has also furnished estimates and statements, intended to afford the information called for by the Senate. The documents now before the Committee, present for consideration the following points, each of which will be briefly noticed; viz:

1st. The character and probable expense of the expedition.

2d. The measures which have been adopted for carrying it into effect.

First—The character and expense of the expedition.—In examining the character of the proposed expedition, the Committee will confine their views to the *plan set forth* in the communications of the Navy Department; as it appears that the passage of the bill now before the Senate, will be considered as giving the sanction of Congress to that plan; the naval officers, as well as the scientific corps, "holding themselves (as we are informed,) now in readiness," and the Department being also "ready, to organize the whole expedition the moment the legislative decision is known." According to the plan of the Secretary of the Navy, it appears to the Committee, that the proposed expedition can only be considered as the first of a series of explorations, having for their object the examination of all the "known islands" &c. in the Pacific ocean and South seas, and the discovery of such as may be "unknown." The expedition now about to be despatched, is to be directed towards the South Pole; which it is designed to "approach as nearly as circumstances will permit," in order to examine, in the language of the Secretary, "*all that exists there.*" The attention of the commander of the expedition, as well as of the scientific corps, which is to accompany it, is to be specially directed to the survey of about "two hundred islands," &c., of the existence of which some information was obtained by the Navy Department, from the agent employed under its direction, during the last summer; and which, it is supposed, are not to be found on any chart: and these explorations, it is to be presumed, must be continued until the whole Pacific ocean and South seas shall be thoroughly explored, and all the "islands" &c. which exist there, accurately surveyed and examined.

So far as this plan embraces what may be properly regarded as a *voyage of discovery*, the Committee can perceive nothing in the present condition of this country to recommend it to the favor of Congress. With immense unsettled and unexplored regions at home, they should consider it altogether superfluous to attempt the discovery of unknown lands, however rich they may be in resources, however inviting to the enterprize of individuals, or the ambition of rulers. Supposing such an expedition to result (as seems to be confidently expected by its sanguine advocates,) in the discovery of countless islands, or even of new continents—such discovery would, in the estimation of the Committee, be of no substantial benefit to the United States; but, on the contrary, would be fraught with the most serious evils. The honor that might be considered as properly belonging to a successful enterprize of such an imposing character—the spirit of adventure to which it would give rise among our countrymen—the visionary hopes which it could not fail to excite, and the emigrations to which it must lead—would all combine in urging us "to plant the American standard on the soil discovered by American enterprize;" and a colony would probably be soon built up, in a distant region, which could only be defended at an expense

not to be estimated, and which could not be taken under the protection of the United States, without an abandonment of the fundamental principles of our policy, and a departure from those wise and prudent maxims, which have hitherto restrained us from forming unnecessary connexions abroad.

The Committee feel no hesitation, therefore, in unequivocally expressing their opinion, that no expedition ought to receive the sanction of this government, the object of which may be, either to approach the South Pole as "near as circumstances will permit," or to discover "unknown lands;" whether such lands are to be sought for (according to the opinions of the earliest projectors of such an enterprize,) within the opening which they have confidently asserted "to exist there," or any where else in the vast expanse of the Pacific ocean and South seas; the thorough examination of which, for such purposes, would certainly constitute a permanent charge on the Treasury, of several hundred thousand dollars per annum.

Supposing the object of the expedition to be restricted to the examination and survey of the "two hundred islands," &c. mentioned by the Secretary, it appears to a portion of the Committee that the work to be performed would still be of so great extent, that there would be no reasonable prospect of its being speedily accomplished; and that no probable advantage to result to the United States would, in any adequate degree, compensate for the sacrifice of lives and of treasure, which must inevitably take place, in the prosecution of such an enterprize. The accurate survey, even, of those islands, would, in the opinion of the Committee, consume a great many years, and require many successive expeditions.

They much doubt, whether an intelligent and scientific naval officer, employed under the direction of the Navy Department, for a single season, in collecting and arranging the information to be derived from the whalemens of Nantucket, would not be able to furnish better guides for the navigation of those seas, than could probably be afforded by an Exploring Expedition in a cruise of three years. The making scientific surveys of coasts, harbors, &c., is a work of time, and can only be well performed by officers who proceed with the utmost care, caution, and deliberation. A survey of the sea coast of the United States, was commenced many years ago, under the most favorable auspices, and though much time has been devoted to it by the corps of Topographical Engineers, and others, it still remains unfinished. It is known to the Committee that the examinations of a single harbor has occupied a surveying party for near two years, and so great has been the magnitude and difficulty of these undertakings, that the survey of the sea coast has, of late years, been abandoned. Six years ago an act was passed appropriating \$ 50,000, for "the survey of the routes of such Roads and Canals, as were deemed by the President, of national importance," and though the same appropriation has been annually made ever since, very little progress has been made towards the completion of the work, notwithstanding a large corps of civil and military engineers have been constantly and assiduously employed in it, with all the advantages to be derived from carrying on their operations at home, under the eye of the government, and aided by the zealous co-operation of their fellow-citizens. It appears to a portion of the Committee, therefore, that in the present condition of the United States, while the interior of our own country is yet unexplored—while the charts of our maritime frontier are imperfect—while the islands, shoals, reefs, &c., along our own coasts have not been accurately surveyed and examined—while the north-west coast, and especially the mouth of the Colum-

bia river, remain almost unknown—it is altogether premature on the part of the American government, to enter upon the exploration of the Pacific Ocean and South Seas, or even to attempt to survey all the islands, &c., which may exist there.

However desirable it may be “to open new sources to our commerce,” or to give greater security to those who navigate those seas; the Committee cannot perceive why those objects should be deemed of more value than “to open new sources” to agriculture, or to give security to those who may be engaged in other branches of industry—objects which may be safely left to the enterprize of individuals, which, with an instinctive sagacity, that puts to shame, the assumed wisdom of governments, is invariably directed to the pursuits most profitable to themselves, and most to the welfare and honor of the country. A majority of the Committee, however, though they concur generally in these views, are inclined to believe that an expedition, on a small scale, and strictly confined to the examination and survey of the islands, reefs, and shoals, which lie in the tract of our vessels engaged in the whale and other fisheries in the South Seas, would amply remunerate the expense which should be incurred in its prosecution, and they have accordingly directed the Chairman to report an amendment to the bill, having this object in view.

In calculating the probable expense of an expedition, organized in the manner proposed by the Secretary of the Navy, the Committee will, in the first place, refer to the estimate submitted by the Secretary himself. The following is the statement taken from the report, which accompanies the late message of the President.

Estimate from the report of the Secretary of the Navy.

Cost of fitting out the Peacock. [See the Secretary's report, paper C.]

Whole amount of materials,	-	-	-	\$ 52,379 97	
Whole amount of labor,	-	-	-	29,410 25	
					\$ 81,790 22
Deduct value of articles, returned into store,	-				17,060 69
					64,729 53
Deduct guns, estimated at	-	-	-	-	4,008 00
					60,729 53
Cost of purchasing and fitting out “the second vessel,” and the store ship, and additional expenses—[See report paper G.]	-	-	-	-	42,059 21
Whole expense of preparing the expedition	-	-	-	-	102,780 74
Expense of supporting the expedition for one year				\$88,892 75	
For two years, the Secretary's estimate, [see report paper H.]					177,785 24
					280,565 24
Add for the third year,	-	-	-	-	88,892 75
Making the whole expense of fitting out and maintaining an Exploring Expedition for three years,	-	-	-	-	\$ 369,457 99
<i>Three hundred and sixty-nine thousand four hundred and fifty-seven dollars, ninety-nine cents.</i>					

It appears to the Committee that three years, instead of two, ought to be allowed for the completion of the expedition. Vessels sent on ordinary cruises in the Pacific, are usually employed for that period, and from the nature of this expedition, it will not probably return to the United States in less than three years.

This appears to have been the opinion of the Secretary himself, as disclosed in his letter to the chairman, in which he says, that the expedition will be completed in "between two and three years." But the Committee are further inclined to think, that the Secretary's estimate is in some other respects too low, and that a cautious and provident foresight would require a more liberal allowance for the extraordinary expenses of a new and untried enterprise. The second vessel, for instance, is put down at \$10,000, being *her first cost*, without including the repairs which will be indispensable to convert her from an ordinary merchant-ship into "a well appointed vessel," to be engaged in a peculiar and hazardous service. The number of *able seamen* to be employed in the three ships is estimated at only thirty-three, while the number of such seamen usually employed in a single sloop of war is sixty-two. There are many other items which seem to the Committee to be estimated too low, and making reasonable allowances for the extra expenses incident to all novel enterprises, the Committee should not be disposed to put down the whole cost of this expedition, supposing it to continue for three years, at less than four hundred thousand dollars. The Secretary of the Navy, however, suggests that the repairs of the Peacock, as well as the expense of supporting her at sea, cannot properly be considered as chargeable to this expedition, inasmuch as she would be employed on other service, if not sent out on the exploring expedition. The Committee, however, cannot recognize the correctness of this view of the subject, because they cannot suppose that the Peacock or any other vessel of war could be rebuilt and put into commission, unless her services were actually required on some one of the cruising stations, at which our ships are employed, for the protection of American Commerce. Congress has certainly been, heretofore, induced to believe, that in receiving estimates of the number of vessels to be kept in commission during the year, none were included which were not considered necessary to be employed on the different established stations abroad. The Peacock, therefore, if not sent on the exploring expedition would certainly not be sent to the West Indies, or any where else, unless her services be necessary there, and if notwithstanding such necessity, she shall be detached on a separate and distant service, her place must of course be supplied by some other vessel. The Peacock having been included as one of the — sloops of war estimated for last year, by no means proves that she would have been repaired and employed during the present year, without any reference to the exploring expedition, inasmuch as it is understood that she was included in the estimates of the preceding years, and yet she was not repaired or put in commission simply, it is presumed, because her services were not found to be necessary. In any view of the subject, however, it appears to the Committee, that the true cost of the expedition to the United States, must be *the whole expense of preparing the vessels for sea, and supporting them while there*, and that, to consider the expense as consisting merely of the additional cost of such an expedition over an ordinary cruise, is a view of the subject altogether erroneous. By the same reasoning it may be made to appear, that if, instead of purchasing vessels, we should build them at our own navy yards, and fit them out and support them

in the usual way, that the expedition would not cost the United States a single cent. The Committee will admit, however, that so far as a vessel employed at any particular cruising station may be temporarily detached, without interfering with her ordinary duties as a cruising ship, this view of the subject may be supported, but it is wholly untenable when applied to an expedition entirely cut of the course of ordinary service, and in no way connected with the protection of our commerce, from the aggression of foreign powers. The question of the true probable expense of such an expedition, as that in the contemplation of the Navy Department, is, however, one on which any member of the Senate can make his own calculations on the data now afforded by the documents submitted.

2d.—The measures which have been adopted for carrying the expedition into effect.

From the documents which accompany the late message of the President on this subject, it appears that the Secretary of the Navy has considered the exploring expedition as sanctioned by the authority of the House of Representatives, and has therefore conceived himself authorized to apply the appropriations made for the Navy to this object. The Peacock has accordingly been repaired, at an expenditure of \$81,790 22, (drawn from the funds appropriated by Congress for "the repairs of vessels in ordinary,") an amount which most assuredly could not have been necessary for the repair of a sloop of war, destined for any ordinary service.

Provisions peculiarly adapted to this service, have been ordered, (and, as the Committee understand, been purchased,) at an expense of about three thousand dollars, drawn from the appropriations for "provisions" for the Navy.

A special agent has been employed to collect information for the guidance of this expedition, "respecting the objects to be examined," at an expense of \$1,116, which has been charged to the "contingent expenses" of the Navy.

Seamen and others, peculiarly fitted for this particular service, have been engaged, and, in short, every measure has been adopted, deemed necessary for the preparation of the expedition, and the Secretary has believed himself to be authorized to use the money necessary for these purposes. Before the explanations here received, were furnished, it did not seem to the Committee to be susceptible of doubt or controversy, that in preparing an exploring expedition of the character of that now under consideration, where no appropriation had been made for such an object, the necessary expenses could only have been discharged by "a transfer of appropriations." It appeared from the message of the President, as well as the report of the Secretary at the opening of the session, that the expedition was considered as having already received a legal sanction, and that all preparatory measures had been adopted; and it was expressly stated by the Secretary, that a sufficient authority was conceived to be derived from this source, to "justify the expenditure of the money."

Believing that the resolution relied on, afforded no authority for fitting out an exploring expedition, or for applying a cent of the public money towards any such object, the Committee had no hesitation in coming to the conclusion, from the statement of the Secretary himself, that there had been to some extent at least (though to what extent was unknown to them) an unauthorized application of the public funds, and after a careful examination of the documents since submitted, they are confirmed in the opinion. They be-

lieve it to be susceptible of the clearest proof, and consequently that the President, as well as the Secretary, are mistaken, when they say that "no transfers from the different heads of appropriation for the *support of the Navy*, to this object, have been made." If, by the "transfer of appropriations," it is to be understood, that money has been drawn from one head of *appropriation*, and applied to another, (as for instance, that moneys appropriated for "repairs," have been applied to "provisions,") then indeed it may be contended that no such *transfers* have been made in this case; but, if the application of money appropriated for one purpose to another and a different purpose; if the application of money appropriated for the "repairs," "provisions," &c. *of the Navy*, towards an *exploring expedition* not sanctioned by law; if the use of money appropriated for the "contingent expenses of the Navy," towards the payment of a special agent, employed in collecting information for an exploring expedition, are to be considered as "transfers of appropriations," then such transfers have certainly been made. But the Committee do not desire to engage in verbal criticisms, nor to take a merely technical view of this matter. The substantial objection to the proceeding, arises out of the fact, that without any lawful sanction having been given by Congress, to an exploring expedition, of any description, and without the appropriation of a single dollar to any such object, such an expedition has been organized, and an unlimited discretion has been used, in applying the public money towards it, just as if the bill which failed last year, and is now again before Congress, had actually passed both houses, been approved by the President, and become a law. Neither the amount applied to this object, nor the motives which may have produced the application, form any part of the considerations which have caused the Committee to express their decided disapprobation of a proceeding, which they believe to be of dangerous tendency, and at variance with the principles which ought to control the appropriation and expenditure of the public money. Nor does it make any difference in principle, that a large portion of these expenditures have been made on objects which may hereafter be converted to the use of the Navy, should the expedition not receive the sanction of Congress. But it is not denied that a portion of these expenditures has been applied to objects, not necessary for the ordinary service of the Navy, and wholly inapplicable to that service. The *Peacock* has been fitted out in a manner different from, and at a cost greatly beyond what would have been necessary in preparing her for an ordinary cruize. We are expressly informed, that among other things, a "temporary spar deck" has been provided, at an expense of \$1,943 21, which will have to be removed before she can again be used as a cruising ship. The compensation of the agent, and many other expenses, (some of which are given by the Secretary in paper D, amounting to \$5,059 21,) are clearly of this character; and it appears to the Committee, that whether the amount expended without authority, be great or small, the proceeding is equally objectionable in principle, and equally sustains the view they have heretofore taken of this subject. The Committee forbear to press this branch of the subject further.

The only remaining part, to which they would call the attention of the Senate, is the *authority* under which the Navy Department has proceeded in preparing and organizing the expedition. The Secretary of the Navy refers to a resolution of the House of Representatives of the 21st May, 1828, and relies upon it as "the command to be obeyed" and "the authority to justify the expenditure of the money" &c. Before this resolution was adop-

ted, viz. on the 25th March, 1828, a bill had been reported by the Naval Committee of the House of Representatives, authorizing the President to prepare and send out an exploring expedition, and appropriating \$50,000 for that object. This bill, for some cause unknown to your Committee, not having been acted on by the House, the resolution above mentioned was proposed, and adopted, a day or two only before the close of the session, but it was not sent to the Senate, nor presented to the President for his approbation.

The failure of the bill which had been introduced for the express purpose of giving the sanction of the legislature to an expedition (justly considered to involve high considerations of public policy) obviously put an end for that session, at least, to the whole scheme, nor will any one pretend, that a simple resolution adopted by one branch of the Legislature, could give a lawful sanction to any object depending on the legislative will, much less that it could justify the use of the public money for carrying it into effect. The 7th section of the 1st art. of the Constitution is perfectly explicit on this subject, and requires the same sanctions to every "order, resolution, or vote" of the two Houses, which are requisite to give validity to the most important laws. In both cases they must be agreed to by the Senate, and House of Representatives, be presented to the President of the United States, and be approved of by him, before they can take effect. The only known exception to this rule, is in favor of orders or resolutions which concern the separate action of each House, and which, like the rules of its own proceeding, do not require the sanction of the other. But when, as in the case before us, the question was one involving delicate and interesting consideration of national policy, requiring large expenditures of money, it is too obvious to admit of argument, or to need illustration, that such a resolution could have no binding force or efficacy whatever. The Committee will not enlarge on the importance of preserving to each branch of the National Legislature, as well as to the Executive, all the powers conferred by the Constitution, in order to enable them to serve as checks upon each other. They know of no practice that would be more mischievous in its effects than that either branch of Congress should be induced to avoid the delay and difficulty of passing laws on important subjects, by substituting the resolutions of one House; a practice that would become extremely dangerous, if such resolutions should ever come to be considered, as affording a warrant to Executive Officers, to apply the public money to the purposes designated by such resolutions. The Committee deem it unnecessary, on the present occasion, to do more than merely to bring this subject to the notice of the Senate. They have no reason to doubt, that in adopting the resolution of the House of Representatives, in relation to an exploring expedition, as *an authority for his acts*, the Secretary of the Navy believed himself to be fully justified by the resolution itself; and that he was actuated by an ardent desire to promote an enterprise, which he supposed would be conducive to the welfare and honor of the country. And the Committee are well satisfied that this expression of a different opinion on their part, calling the attention of Congress and of the Departments to this subject, will be sufficient to prevent the recurrence of any similar transaction.

B.

ESTIMATE of the cost of constructing and completing a temporary Spar Dock, to connect the poop and forecastle decks of the United States' sloop of war Peacock, repaired at the United States' Navy Yard, New York, in 1828, including the cost of all extra work, arising from the same.

Labor,	-	-	-	-	-	-	-	\$1,038	75
Materials,	-	-	-	-	-	-	-	904	46

\$1,943 21

Respectfully submitted.

S. HART, N. C.

J. CHAUNCEY,

United States' Navy Yard, New York, January 30th, 1829.

C.

REPORT showing the cost of the materials and labor of every description, used in repairing the United States' ship Peacock, at the United States' Navy Yard, New York.

Whole amount of materials, -	-	-	52,379	97	
Whole amount of labor, -	-	-	29,410	25	
					81,790 21
Deduct—					
Amount of materials and labor in making temporary Spar Decks, per Constructor's estimate, marked B. -	-	-	1,943	21	
Amount of articles returned into store, viz:					
In Master's Department, -	-	2,165	24		
Sail-Maker's, -	-	2,313	11		
Boatswain's; -	-	516	76		
Carpenter's, -	-	168	30		
Gunner's, -	-	3,814	85		
Old copper, -	-	1,275	60		
10 Gun carriages, -	-	590	00		
1 Boat, -	-	80	00		
				10,923	86
Materials for Spar Sails, -	-	3,611	61		
Labor on do -	-	582	01	4,193	62
					17,060 69

Amount properly chargeable to repairs of U. States' ship Peacock, \$64,729 53

The cost of 6 medium 18 pounder cannon and carriages, now on board, is included in the above report; and she has not been credited for her original armament 20 32 pounder carronades, and 2 long 12 pounders with carriages, which are in the yard, reserved for her future use. Estimated worth \$4,008.

TUNIS CRAVEN.

UNITED STATES' NAVY YARD, NEW YORK, 31st January, 1829.

Commodore ISAAC CHAUNCEY, Commandant

United States' Navy Yard and Station, New York.

D.

Expense incurred in fitting out the Peacock, for the Exploring Expedition.

1.	Extra expenditure in the repairs of the Peacock, paper C.,	\$ 1,943 21
2.	Compensation to Agent, - - - - -	1,116 00
3.	Cost of mathematical and astronomical instruments, estimated at - - - - -	2,000 00
		<u>\$5,059 21</u>

E.

Estimate of expense which will probably be incurred in fitting out the Peacock.

1.	Amount already incurred, D. - - - - -	\$ 5,059 21
2.	Extra provisions, - - - - -	3,000 00
3.	Books, maps, &c. - - - - -	1,000 00
4.	Contingencies, - - - - -	2,000 00
		<u>\$ 11,059 21</u>

NOTE. The expense of persons, other than Naval Officers, is included in the estimate of annual expense of supporting the vessel.

G.

Estimate of expense of fitting out two vessels, with a store ship.

1.	Amount of paper E., - - - - -	\$11,059 21
2.	Cost of second ship, - - - - -	10,000 00
3.	Cost of store ship, - - - - -	15,000 00
4.	Additional instruments, books, &c., - - - - -	3,000 00
5.	Contingencies, - - - - -	3,000 00
		<u>\$42,059 21</u>

NOTE.—The scientific corps is estimated in the annual expense—the pay not commencing until the vessels are put in commission.

H.

Estimate of the Annual Expense of supporting the Peacock, and two other vessels, while on an Exploring Expedition.

1.	Expense of the Peacock, - - - - -	\$39,724 00
2.	Expense of second vessel, - - - - -	17,365 75
3.	Expense of third vessel, - - - - -	11,813 00
4.	Pay to scientific corps, - - - - -	10,000 00
5.	Contingencies, - - - - -	10,000 00
		<u>\$88,892 75</u>

